

REMARKS

The last Office Action of December 26, 2007 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-15 are pending in the application. Claims 11-15 have been withdrawn from further consideration. Claims 1-2, 4, 6, 8, 10 have been amended. Claims 16, 17 have been added. No claims have been canceled. No amendment to the specification has been made. No fee is due.

It is noted that the drawings are objected to because of applicant's failure to show every feature set forth in the claims.

Claims 1-4, 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by published U.S. Pat. Appl. No. 2003/0102730 to Balas.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Balas in view of U.S. Pat. No. 6,943,467 to Potoradi.

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Balas in view of U.S. Pat. No. 3,604,013 to Akers et al.

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Balas in view of U.S. Pat. No. 5,406,152 to Fechner et al.

OBJECTION TO THE DRAWING

The Examiner noted that the drawing does not clearly show the coolant path. The objection to the drawing is respectfully traversed. Reference is made to paragraph [0021] of the instant specification, which relates to the illustration of Fig. 1 and describes that coolant enters the housing through coolant entry (8), as indicated by the arrow (see also Fig. 2), and flows radially into the peripheral coolant channel (7). Paragraph [0023] describes the presence of orifices to connect the peripheral coolant channel with axial channels. It is well established that the specification and drawings should not be viewed separately from one

another. In other words, the subject matter of the invention may be partly in writing and partly in drawing, so long as an artisan is able to ascertain the invention claimed. In the case at hand, the drawings together with the specification are sufficient for an artisan to understand the subject matter of the invention and thus the flow and direction of coolant.

Withdrawal of the objection to the drawing is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §102(b)

In order to clearly distinguish the present invention from Balas, applicant has amended claim 1 by setting forth the positional relationship between the circumferential coolant channel and the coolant entry. More specifically, claim 1 now sets forth the disposition of the circumferential coolant channel and the coolant entry on a same side of the housing. In other words, coolant enters the circumferential coolant channel first for distribution in a circumferential direction before flowing in axial direction through the axial channels (11). As a result of this configuration, the coolant channel can be made large so that flow resistance can be reduced. Reference is made in particular to paragraph [0024], last sentence of the instant specification.

Claims 2, 4, 8, 10 have been amended to make them consistent with the changes to claim 1. Claim 6 has been amended to more clearly set forth the positional disposition of the coolant channel in relation to the magnet arrangement. Claim 16 has been added to define the side as non-drive side where the coolant entry and the circumferential coolant channel are located. Support therefore can be found in Fig. 1. Claim 17 has been added to set forth subject matter deleted from claim 8.

The Balas reference describes a turbogenerator cooling system by which cooling air is drawn in on one side of a housing to flow axially along fins to the rear, as indicated by the arrows in Fig. 1B. At the other end, cooling air is passed around stator end 13A (paragraph [0050]. Likewise, in the embodiment of Fig. 3,

air enters on one side (front side) of the generator and flows axially along the fins to the rear of the generator (paragraph [0070], page 4, last two lines). On the rear side, air is routed around the stator winding end-turns before returning in axial direction to the front (paragraph [0070], page 5, first five lines). Thus, Balas fails to disclose the immediate proximity of coolant entry and circumferential coolant channel on one side of the generator.

For the reasons set forth above, it is applicant's contention that Balas neither teaches nor suggests the features of the present invention, as recited in claim 1.

As for the rejection of the dependent claims 2-4, 6-8, these claims depend on claim 1, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed:

It should, however, be noted that claims are further considered allowable on their own merits as they recite other features of the invention neither taught nor suggested by the applied prior art. Claim 6 recites the disposition of the circumferential coolant channel upstream of the magnet arrangement. Claim 8 recites the radial disposition of the coolant entry on the housing so that incoming coolant flows radially into the coolant channel. In Balas, the entry of coolant is in axial direction.

Withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of claims 1-4, 6-8, 16, 17 are thus respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a)

The rejection of claim 5 under 35 U.S.C. 103(a) is respectfully traversed.

The Potoradi reference has a filing date which is not before the filing date of the German patent application upon which priority is claimed pursuant to 35 U.S.C. 119(a)-(d). In order to perfect the claim of priority, applicant submits herewith a verified translation thereof. Accordingly, it is applicant's contention that

the rejection under 35 U.S.C. §103(a) as being unpatentable over Potoradi has now been overcome.

Claims 9, 10 which depend from claim 1 and therefore contain all the limitations thereof, patentably distinguish over the applied prior art in the same manner as claim 1.

Withdrawal of the rejection of claims 5, 9, 10 under 35 U.S.C. §103(a) and allowance thereof are thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

PRIORITY

As noted above, applicant submits herewith a verified translation of priority document 102 35 141.8 in order to perfect the claim of priority.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner

feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: March 25, 2008
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF:af